



Patent Application  
Attorney's Docket No. 022650-498

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Xavier MARZE	)	Group Art Unit: 1616
	)	
Application No.: 09/180,477	)	Examiner: Neil S. Levy
	)	
Filed: February 5, 1999	)	
	)	
For: PROTECTION AGAINST	)	
TERMITES	)	
	)	
	)	

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a Preliminary Amendment for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.
- ☐ Also enclosed is \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$355.00 (279) ☐ \$710.00 (179) fee due under 37 C.F.R. § 1.17(e).
  - ☐ Applicant(s) previously submitted \_\_, on \_\_, for which continued examination is requested.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.
- ☐ No additional claim fee is required.

☒ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDT'L FEE
Total Claims	85	MINUS 71 =	14	× \$18.00 (103) =	252.00
Independent Claims	2	MINUS 3 =	0	× \$80.00 (102) =	0.00
If Amendment adds multiple dependent claims, add \$270.00 (104)					0.00
Total Amendment Fee					252.00
If small entity status is claimed, subtract 50% of Total Amendment Fee					0.00
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$252.00

☒ A claim fee in the amount of \$ 252.00 is enclosed.

☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: January 23, 2001



CPA/12616

Patent Application  
Attorney's Docket No. 022650-498

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Xavier MARZE )

Application No.: 09/180,477 )

Filed: February 5, 1999 )

For: PROTECTION AGAINST  
TERMITES )

Group Art Unit: Neil S. Levy

Examiner: 1616

RECEIVED

FEB 01 2001

TECH CENTER 1600/2900

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION (CPA)

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application (CPA) Under 37 C.F.R. § 1.53(d) dated October 23, 2000, enclosed please find:

☒ Surcharge of ☐ \$65.00 (205) ☒ \$130.00 (105) as set forth in 37 C.F.R. § 1.16(e);

☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different than listed on the application filing papers.

☐ a Request for Refund;

☒ a Petition for Extension of Time and extension fee of \$110.00;

☐ a verified English translation of the Application, and the \$130.00 (139) fee as set forth in 37 C.F.R. § 1.17(k);

☐ an Assignment document and a separate check for the Assignment recordation fee;

☒ other Preliminary Amendment, Transmittal Letter and \$252.00 additional claim fees; basic filing fee of \$710.00 and additional claim fees of \$918.00;

☒ a check in the amount of \$ 2,120.00 ; and

☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

Transmittal Letter for Missing Parts of Application

Attorney's Docket No. 09/180,477

Application No. 022650-498

Page 2

[ ] Small entity status is hereby claimed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By: Mary Katherine Baumeister  
Mary Katherine Baumeister  
Registration No. 26,254

Date: January 23, 2001



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTY. DOCKET NO./TITLE

09/180,477 02/05/99 NAFZE

X

022650-190

RECEIVED

FEB 01 2001

TECH CENTER 1600/2900

021839

BURNS DOANE SWECKER & NATHAN L. B. LEVY, N  
POST OFFICE BOX 1404  
ALEXANDRIA VA 22313-1404



DATE MAILED:

1616

### NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)

Filing Date Granted

10/23/00

The Continued Prosecution Application (CPA) request filed on 10/13/00 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

☐ 1. The statutory basic filing fee is:

☐ missing.

☒ insufficient.

(a) Applicant must submit \$ 710.00 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

☐ 2. Additional claim fees of

\$ 918.00 (non-small entity) or \$ \_\_\_\_\_ (small entity) for independent claims over 3.  
\$ 918.00 (non-small entity) or \$ \_\_\_\_\_ (small entity) for 57 claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.

☐ 5. Other: \_\_\_\_\_

A copy of this Notice MUST be returned with the reply.

Direct the reply and any questions about this Notice to:

Kevin G. Tack

Examining Group 1616

(703) 30 8-4527